



ATTORNEY DOCKET NO.: 03768/09633  
14845

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Reed, <i>et al.</i>	)	Group Art Unit: 1771
	)	
Serial No.: 09/976,411	)	Examiner: Hai Vo
	)	
Filed: October 12, 2001	)	Deposit Account: 50-2548
	)	
For: Medical Packaging Substrate	)	

AFFIDAVIT UNDER 37 CFR § 1.132

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

STATE OF GEORGIA	)	
	)	S.S.
COUNTY OF FULTON	)	

JAY R. SOMMERS, being first duly sworn, does hereby state:

That he received a Bachelor of Science Degree in Chemistry from Brooklyn College of the City University of New York and a Ph.D. in Organic Chemistry from the University of Pittsburgh;

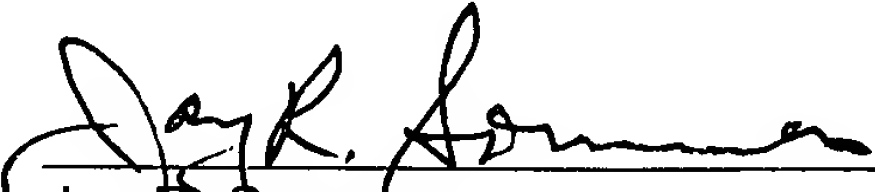
That he has been employed by Kimberly-Clark Corporation since 1983, and is currently the Director of Clinical and Scientific Documentation, Health Care;

That he is a member of several professional organizations, including the European Sterilization Packaging Association (ESPA), the Surgical Infection Society (SIS), the International Society for Infectious Diseases (ISID), and the American Society for Testing and Materials (ASTM); and that he is a member of the Board of Directors of the Barrier Test Consortium (BTC), an independent company established under the direction of ESPA;

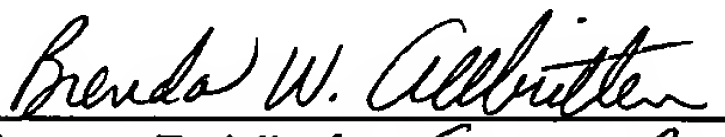
That he is the author of numerous publications concerning medical and surgical fabrics;

That the difference between a Bacterial Filtration Efficiency (BFE) of 92.45% and a BFE of 95% is an important difference in the application of medical packaging substrates used in sterilization procedures, and;

That the difference in a BFE of 92.45% and a BFE of 95% represents a significant reduction in the number of colony-forming bacteria penetrating the sample. Specifically, with a 92.45% BFE, 7.55% of the bacteria penetrate while with a 95% BFE, 5% of the bacteria penetrate. This represents approximately a 30% reduction in the fraction of bacteria penetrating the sample.

  
Jay R. Sommers

SWORN TO and subscribed before me  
this 12<sup>TH</sup> day of February, 2004

 (SEAL)  
Notary Public for FULTON COUNTY, GEORGIA  
My Commission Expires: APRIL 30, 2005